THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26211 of 2005

Dated 09-12-2005

Between:

M.Sathi Reddy.

.. **PETITIONER**

AND

The Nalgonda District Co-operative Central Bank Limited, Nalgonda.

.. **RESPONDENT**

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ORDER:

The petitioner is appointed as Supervisor on 21-07-1971 in the Nalgonda District Co-operative Central Bank Limited, the respondent herein. While he was working at Gurrampode branch as In-charge Assistant Manager, he was posted as Person-In-Charge of a neighbouring Co-operative Society at G.Gouraram. During his tenure as Person-In-Charge, petitioner initiated disciplinary proceedings against one Mr.A.Ramulu, Secretary of that Society, and placed him under suspension on the allegation that he misappropriated a sum of Rs.50,051/-. The petitioner was transferred as Cashier to the Devarakonda Branch. He challenges the same.

Sri L.J.Veera Reddy, learned counsel for the petitioner submits that the only allegation against the petitioner is that he has reinstated the Secretary of Gauraram Society, yielding to a suicide threat and thereby brought down the reputation of the respondent. He submits that the reinstatement was ordered only after the employee had remitted the amount of Rs.50,051/- and in pursuance of the directions issued by this court in W.P.No.19682 of 2005, that too on the basis of a Resolution passed by the Society. Learned counsel states that the petitioner had just three months left over service and that the respondent is not justified in transferring the petitioner.

The learned Standing Counsel for the respondent, on the other hand, submits that the acts and omissions on the part of the petitioner have adversely affected the reputation of the respondent and several reports have appeared in the local press. He contends that the transfer is not by way of punishment and the petitioner does not suffer any inconvenience on account of the same.

It is true that in the order of transfer, a reference was made to the reinstatement of the employee of the Society, who was placed under suspension. It is also alleged that the petitioner violated the orders of this court.

Having regard to the fact that the respondent has the discretion to transfer its employees, it cannot be said that there was any lack of jurisdiction or illegality in the impugned order. However, if the left over service of the petitioner is taken into account, he deserves to be shifted to a nearby place, to avoid inconvenience at the end of his career. On the directions issued by this court, the learned Standing Counsel ascertained from his client and stated that they are prepared to post him at other places such as Ramannapet, Choutuppal, Nakirekal.

In view of the circumstances that have been arisen on account of the reinstatement of the employee and the allegations made in relation thereto, it is not in the interest of the petitioner also to continue at Gurrampode.

Therefore, the writ petition is disposed of leaving it open to the petitioner to choose any place among Ramannapet, Choutuppal, Nakirekal and Devarakonda. The petitioner shall communicate his option within one week from today and it shall be open to the respondent to issue revised orders posting the petitioner to such place. Till then, the impugned order shall not be implemented. No order as to costs.

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09-12-2005

Prv